

EXHIBIT 1

Selections from the Deposition of Christina Berti, Esq. dated July 26, 2019

1
2 UNITED STATES DISTRICT COURT
3 SOUTHERN DISTRICT OF NEW YORK

4 -----X
5 NEIL ABROMAVAGE,

6 Plaintiff,

7 -against-

Case No.

1:18-cv-06621-VEC

8 DEUTSCHE BANK SECURITIES
9 INC.; JEFFREY BUNZEL, in his
10 official and individual capacities;
11 and MARK HANTHO, in his
12 official and individual capacities.,
13 Defendants.

14 -----X

15
16 * * C O N F I D E N T I A L * *

17
18 DEPOSITION OF CHRISTINA BERTI

19 New York, New York

20 July 26, 2019
21
22
23

24 JOB NO. 165167

25 Reported by: BONNIE PRUSZYNSKI, RMR, RPR, CLR

1 C. Berti

2 A. I don't know how things changed. I
3 know that he reported to us that he felt that
4 things have changed.

5 Q. How did he report to you things
6 have changed?

7 A. How? In our meeting. He described
8 what he considered to be change.

9 Q. What I meant to say is, in what way
10 had things changed according to his
11 description?

12 A. He said he felt that he had been
13 excluded from certain meetings and activities
14 related to the business.

15 Q. Were you aware that -- withdrawn.
16 Did Mr. Abromavage tell you that he
17 had been in discussions to move to a
18 different group?

19 A. I don't recall.

20 Q. What group did Mr. Abromavage work
21 at?

22 A. He worked in ECM.

23 Q. Were you ever aware that he had
24 been in discussions to move to a covered role
25 in the financial institutions group, the FIG

1 C. Berti

2 group?

3 A. I don't recall which group but that
4 he was considering other positions, but I
5 don't recall which they were specifically.

6 Q. Do you recall Mr. Abromavage
7 telling you that the discussions ceased
8 following Mr. Gurandiano's termination?

9 A. Which discussions?

10 Q. About his move to a different
11 position.

12 A. I don't recall.

13 Q. Did Mr. Gurandiano -- withdrawn.

14 Did Mr. Abromavage explain how
15 he -- why he thought other people were aware
16 that he had participated in the investigation
17 into Mr. Gurandiano?

18 A. Yes. I believe he said he thought
19 other people were aware.

20 Q. Did he say who he thought was
21 aware?

22 A. I don't recall if he named anyone
23 specifically.

24 Q. Was it concerning to you that other
25 people would be aware of his participation in

1 C. Berti

2 A. Because it came up in our meeting.

3 Q. In what -- in what context did it
4 come up?

5 A. Can I read the document for a
6 second --

7 Q. Of course.

8 A. -- around that?

9 (Pause.)

10 Can you repeat your question.

11 MR. VALLAS: Can you read back the
12 question.

13 (Record read.)

14 Q. In what context did the reference
15 to "FIG IB" come up?

16 A. It appears it's part of a statement
17 that "meetings getting set up, part of team
18 to be included and then not," and then it
19 states, "FIG investment banking team."
20 Perhaps that was the team that is being
21 described as part of -- "team" being the
22 investment banking team.

23 Q. Was Mr. Abromavage describing a
24 potential move to FIG investment banking?

25 A. I don't know.

1 C. Berti

2 Q. You took these notes; right?

3 A. Yes.

4 Q. Is there anything else that would
5 refresh your recollection as to what that is
6 a reference to?

7 A. Perhaps if I read further into the
8 document, that might help.

9 (Pause.)

10 A. Reading the document refreshes my
11 recollection that he was concerned that he
12 had been part of meetings or a team to be
13 included in meetings, and then he stated the
14 "not involving FIG investment banking."

15 Q. Was that involving a move from ECM
16 to FIG investment banking?

17 A. I don't know.

18 Q. Turn to the next page. In the
19 middle, it says -- not in the middle, toward
20 the top. "Partner co-running ECM is JM.
21 Never spoken about it. Returned for meeting
22 where JM reprimanded by senior person in
23 management. JM didn't say who it was."

24 Did I read that correctly?

25 MR. SMITH: "For" or "from"?

1 C. Berti

2 significant number to be aware of, and we did
3 not have any names associated with that, so
4 that was something that I wanted to note.

5 Q. "Given who was let go, have
6 friendship with either other and aligned with
7 JG." Is that a reference to the four with
8 influence?

9 A. I don't know.

10 Q. Well, you took these notes; right?

11 A. I did.

12 Q. And you don't remember what -- what
13 this meant?

14 A. No.

15 Q. If you look on 2556, the next page.
16 It says, "Didn't tell anyone he participated
17 and they didn't approach him. I may have
18 deleted HR invite (half dozen admins and
19 junior staff) in time before anyone saw re:
20 JG investigation."

21 Can you explain what that means?

22 A. Mr. Abromavage was stating this to
23 us. I don't -- I don't -- I don't know what
24 your question is, what does this mean.
25 Mr. Abromavage was stating to us what I

1 C. Berti

2 recorded here.

3 Q. Did you ask him what he meant by
4 that?

5 A. I don't recall.

6 Q. Was Mr. Abromavage concerned
7 because a half dozen admins and junior staff
8 were able to view his shared calendar where
9 HR invites appeared?

10 MR. SMITH: Objection.

11 A. I don't know.

12 Q. When you write something down in
13 your notes that you are not -- you don't know
14 what it means? Do you not know what it
15 means, sitting here today?

16 A. At the time, I probably would have
17 known how this information was elicited and
18 pertained --

19 Q. You can't remember now?

20 A. I can't remember now what
21 specifically we were discussing or asking
22 about at that point in time.

23 Q. This is a problem we have run into
24 a few times, though, where you don't know
25 what your notes mean.

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2 MR. SMITH: Is that a question?

3 MR. VALLAS: It's an observation.

4 It does not call for an answer.

5 Q. A few lines lower: "A couple of
6 departures. One tech (prior FIG), one FIG."

7 Do you know who these couple of
8 departures are referring to?

9 A. No.

10 Q. "One tech (prior FIG)." Did
11 Mr. Gurandiano work in FinTech?

12 MR. SMITH: Objection.

13 A. I believe he did.

14 Q. Could this be a reference to
15 Mr. Gurandiano?

16 MR. SMITH: Objection.

17 A. I don't know.

18 Q. Did you know at the time?

19 MR. SMITH: Objection.

20 A. I don't know. There are no names
21 here, so I can't -- I can't establish that.

22 Q. "One FIG," is that a reference to
23 Niron Stabinsky?

24 MR. SMITH: Objection.

25 A. I don't know.

1 C. Berti

2 standard practice. I'm saying, specifically
3 with reference to this complaint, do you
4 remember what you did then?

5 A. No.

6 Q. Did you decide to take -- to
7 interview employees about this complaint?

8 A. Yes.

9 Q. How did you decide who to
10 interview?

11 A. We determined who might have
12 information that was relevant.

13 Q. How did you make that
14 determination?

15 A. By reviewing our notes of the
16 meeting and the information Mr. Abromavage
17 gave us.

18 Q. Did you review any documents other
19 than your notes?

20 A. I don't recall.

21 Q. Who did you decide to interview?

22 A. We interviewed Jeff Mortara and
23 Mark Hantho, Jeff Bunzel, John Eydenberg.

24 I don't remember if that was
25 everyone.

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2 the first third of the page, it says,
3 "Surprised that when JG said he had 65-pp
4 lawsuit. JG prep'ing case v DB long time,
5 aware of issue."

6 What is that a reference to?

7 A. Something that Mr. Mortara told us
8 in the interview.

9 Q. Do you know what he was referring
10 to?

11 A. No.

12 Q. Did you ask him?

13 A. I don't recall.

14 Q. Down at the -- halfway through the
15 page on the left-hand margin, it says "JE,"
16 and then next to it, there's a quote, "You
17 should assume I know all that's being said,"
18 close quote.

19 Is that a quote that Mr. Mortara
20 was attributing to John Eydenberg?

21 A. I am not sure.

22 Q. What aren't you sure about?

23 A. I'm not sure -- I guess --

24 Q. Did Jeff --

25 A. -- it looks like JE refers to John

1 C. Berti

2 Eydenberg.

3 Q. Did Jeff Mortara tell you that John
4 Eydenberg told him, "You should assume I know
5 all that's being said"?

6 A. I don't know. That's what I don't
7 know, whether Mr. Mortara is relaying to us
8 that Mr. Eydenberg said that to him.

9 Q. You don't know one way or the
10 other?

11 A. No.

12 Q. Is there anything that would
13 refresh your recollection?

14 A. I don't know.

15 Q. You don't know if there is anything
16 that would refresh your recollection?

17 A. No.

18 Q. At the conclusion of this
19 investigation, did you draft a report?

20 A. Yes.

21 Q. Would this allegation have been
22 included in your report?

23 MR. SMITH: Objection, privileged.

24 MR. VALLAS: It's a factual
25 assertion. How could that be privilege?

1 C. Berti

2 interview with him about relevant information
3 he might have in the investigation.

4 Q. How is this information relevant?

5 A. It was information we had been
6 following up on from Mr. Abromavage's
7 meeting.

8 Q. In what sense? Well, you don't
9 remember what it's about. How do you know
10 what you were following up on?

11 A. I don't -- you are asking me -- I
12 know that we were looking into
13 Mr. Abromavage's concerns about his
14 involvement in the investigation, and I was
15 recording information related to that from
16 Mr. Mortara.

17 Q. So, down at the -- at the -- down
18 at the -- sort of close to the bottom, it
19 says, "JM towed the line," T-O-W-E-D, "the
20 line since."

21 What does that mean?

22 A. I don't remember.

23 Q. "Towed the line" since what? You
24 don't remember?

25 MR. SMITH: I think it's asked and

1 C. Berti

2 answered.

3 A. Yes. I don't remember.

4 Q. Is there anything that would
5 refresh your recollection?

6 A. Not that I know of.

7 Q. On the next page, DB 2559, the
8 fourth line down, there is two arrows, or
9 it's an arrow next to which is the line, "JM
10 thinks JE knew that they would be let go
11 before they were."

12 Do you know who the "they" is in
13 that sentence?

14 A. No.

15 Q. Do you know if that's a reference
16 to Mr. Gurandiano?

17 A. I'm not sure.

18 Q. Were you sure at the time?

19 MR. SMITH: Objection.

20 A. I don't remember.

21 Q. Do you remember asking Mr. Mortara
22 for clarification as to what he meant?

23 A. No.

24 Q. Did you ask him why Mr. Mortara
25 thought that they would be let go?

1 C. Berti

2 A. I'm sorry. Could you repeat that.

3 Q. Did you ask Mr. Mortara why he
4 thought JE knew they would be let go before
5 they were?

6 A. I don't recall.

7 Q. In the bottom third of the page, in
8 the left margin, there's the word "raised"
9 with a colon. And it says, "JE -- you were
10 not a team player, what were you doing?"

11 What is that a reference to?

12 A. I don't know.

13 Q. Was this an allegation that
14 Mr. Eydenberg was accusing Mr. Mortara of not
15 being a team player?

16 A. I don't know.

17 Q. You wrote this down, though; right?

18 A. Yes.

19 Q. And did you ask Mr. Mortara at the
20 time for clarification?

21 A. I don't recall.

22 Q. Do you think it's important when
23 you are conducting an investigation to
24 understand what the interviewee is actually
25 saying to you?

1 C. Berti

2 A. Yes.

3 Q. So, what was your understanding of
4 Mr. Eydenberg's communications with
5 Mr. Mortara regarding Mr. Gurandiano's
6 termination?

7 A. I don't -- I don't know what his
8 communications were.

9 Q. Well, when we were talking about
10 your interview with Mr. Abromavage,
11 Mr. Abromavage alleged that Mr. Eydenberg
12 reprimanded Mr. Mortara following
13 Mr. Gurandiano's termination; is that
14 correct?

15 A. I don't know. I would have to go
16 back to the notes and check and refer to them
17 again.

18 Q. You don't remember?

19 A. I don't remember if your question
20 accurately reflects what my notes reflect.

21 Q. What did you do after you
22 interviewed Mr. Mortara in connection with
23 this investigation?

24 A. I don't recall.

25 Q. You don't recall what you did next?

1 C. Berti

2 Q. Did you interview Richard Gibb in
3 connection with this complaint?

4 A. I don't recall.

5 Q. Is there any reason why you
6 wouldn't?

7 A. Yes.

8 Q. What would be that reason?

9 A. If we determined it wasn't
10 necessary.

11 Q. The second line from the bottom, it
12 says, "Loyal players get resp." What does
13 that mean?

14 A. I am not sure. I believe that is
15 something that Mr. Mortara relayed to us, and
16 I believe "resp" refers to responsibility.

17 Q. So, he was saying that loyal
18 players get responsibility.

19 A. I recorded that, so I believe that
20 is --

21 Q. Did you consider that to be
22 relevant?

23 A. Can I finish?

24 I believe that he would have told
25 us something to that effect in the meeting.

1 C. Berti

2 Q. Did you consider that to be
3 relevant to Mr. Abromavage's claims that he
4 was being retaliated against for
5 participating in the investigation into
6 Mr. Gurandiano?

7 THE WITNESS: Can you repeat the
8 question, please.

9 MR. VALLAS: Can you read that
10 back.

11 (Record read.)

12 A. Again, I'm not sure what it means,
13 but we would have considered all the
14 information that was provided to us as part
15 of our investigation.

16 Q. When you say you would have
17 considered it, do you mean when you drew your
18 conclusions about the investigation?

19 A. We would have reviewed all the
20 information given to us during the
21 investigation in order to reach a conclusion.
22 So, it -- it was information that would have
23 been reviewed.

24 Q. What was Mr. Mortara's role at
25 Deutsche Bank?

1 C. Berti

2 A. He was a banker in the ECM group.

3 Q. What was his title?

4 A. He's a managing director.

5 Q. The next page says, "NA --
6 threatened by JG -- he'd be gone."

7 Is that a reference to the threats
8 that we discussed earlier?

9 MR. SMITH: Objection.

10 A. Excuse me. Could you repeat the
11 question?

12 Q. Is that a reference to the threats
13 that we discussed earlier made by
14 Mr. Gurandiano against Mr. Abromavage?

15 MR. SMITH: Same objection.

16 A. I don't know.

17 Q. Do you know what it's in reference
18 to?

19 A. It's information that Mr. Mortara
20 provided us in our interview of him, and it
21 relates to -- it relates to behavior by
22 Mr. Gurandiano that was the subject of our
23 investigation involving Mr. -- allegations
24 against Mr. Gurandiano.

25 Q. Do you know what the specific

1 C. Berti

2 threats were?

3 A. No.

4 Q. Did you ask?

5 A. Did I ask who?

6 Q. Mr. Mortara, what he meant by this
7 statement.

8 A. When?

9 Q. During this interview.

10 A. I don't recall. We interviewed
11 Mr. Mortara during the Jason Gurandiano
12 investigation as well, so I don't recall
13 specifically what we asked him at what point
14 in time.

15 Q. Is there a reason it's being
16 brought up here?

17 A. I don't know.

18 Q. A couple lines down, it says, "NA
19 frustrated because told not to do a few
20 things. SPACS," S-P-A-C-S, hyphen, "JB knows
21 who told NA not to go to things."

22 MR. SMITH: Objection.

23 Q. Did I read that correctly?

24 MR. VALLAS: What was the basis of
25 your objection, by the way?

1 C. Berti

2 was in reference to?

3 A. Not at this point, reading this,
4 this statement, I don't.

5 Q. Is there anything that would
6 refresh your recollection?

7 A. Yes. My notes of other interviews
8 in the investigation.

9 Q. At the very bottom of the page,
10 four lines from the bottom, it says, "MH, CC,
11 JG -- all Canadian."

12 What is the significance of that?

13 A. It's something that Mr. Mortara
14 relayed to us.

15 Q. Why?

16 MR. SMITH: Objection.

17 A. I'm not sure.

18 Q. What do you consider the purpose of
19 these notes to be when you're conducting an
20 interview? Why do you keep these notes?

21 A. To record information that we
22 gather as part of our interviews.

23 Q. To help you refresh your
24 recollection?

25 MR. SMITH: Objection.

1 C. Berti

2 this now.

3 Q. The next paragraph says, "NA told
4 MH after," underlined, "he went to HR, did
5 you hear what happened? MH on West Coast at
6 time, didn't say it was wrong thing to do,
7 just that it's important to know you did it."

8 What does that mean, "just that
9 it's important to know you did it"?

10 A. I don't know.

11 Q. Did you ask Mr. Hantho what that
12 meant?

13 A. I don't recall.

14 Q. Is Mr. Hantho saying it's important
15 to know -- for him to know that
16 Mr. Abromavage had gone to HR?

17 A. I don't know if that's what he is
18 saying or he's telling us that he said that
19 to someone else.

20 Q. I'm sorry. Can you repeat that?

21 THE WITNESS: Can you repeat my
22 answer?

23 (Record read.)

24 Q. You took these notes, didn't you?

25 A. Yes.

1 C. Berti

2 A. No.

3 Q. In the -- in the middle of the
4 page, next to the date 3/15, it says, "JG
5 heard thought" --

6 A. I believe it says "JE."

7 Q. "JE heard thought NA had brought
8 complaint about JG. NA and JM caught up in
9 it."

10 Do you know what that is a
11 reference to?

12 A. I believe it's a reference -- yes.

13 Q. What's it a reference to?

14 A. I believe it's a reference to this
15 SoFi issue that came up in the Gurandiano's
16 prior investigation, because I noted SoFi at
17 the top of "thought."

18 Q. It says, "NA had brought
19 complaint."

20 Do you know what that means?

21 A. No.

22 Q. Did you ask Mr. Eydenberg what he
23 was referring to, "NA had brought complaint"?

24 A. I don't recall.

25 Q. Did you ask Mr. Eydenberg how he

1 C. Berti

2 know.

3 Q. On the next page, 2570, it says in
4 the middle of the page, "Post JG, JM, NA, Dan
5 Jacobowitz, all expressed interest to be
6 involved in some way. Don't think any of
7 them did it with this motive."

8 What does that mean, "don't think
9 any of them did it with this motive"?

10 A. Can I read the rest of the page?

11 Q. Of course.

12 (Pause.)

13 A. I don't know what that means, if
14 that was your question.

15 Q. You don't know what this motive is
16 in reference to?

17 A. No.

18 Q. Who is Dan Jacobowitz?

19 A. I don't know.

20 Q. Down at the bottom of the page, it
21 says, "After Friday call, decided to
22 terminate JG, executed Monday."

23 A. Is there a question pending?

24 MR. SMITH: Do you just want her to
25 affirm that that's what it says?

1 C. Berti

2 A. RG I believe refers to Richard Gibb
3 leaving for Asia, in a new role in Asia.

4 Q. What is the good idea?

5 A. I don't know.

6 Q. Who is the new FIG head?

7 A. I don't recall.

8 Q. And the last page, 2574.

9 Down at the bottom, it says,
10 "Vinnie and" -- do you know what that next
11 word is?

12 MR. SMITH: Tahg, T-A-H-G. I
13 think.

14 Q. Tahg?

15 A. I believe that is another banker.

16 Q. "JE told them to keep mouth shut,
17 because JG's allegations of disparagement,
18 think a lot of people were told."

19 What is Mr. Eydenberg talking about
20 here?

21 A. I don't recall. I don't know that
22 I -- no.

23 Q. Were a lot of people told about
24 Mr. -- the allegations against
25 Mr. Gurandiano?

1 C. Berti

2 MR. SMITH: Objection.

3 A. I don't know.

4 Q. Did you ask?

5 A. I don't recall.

6 Q. Is there anything that would
7 refresh your recollection?

8 A. My recollection as to whether I
9 asked, what? Mr. Eydenberg?

10 Q. Yes.

11 A. I don't -- not that I know of.

12 Q. Did you ever interview Vinnie? Who
13 is Vinnie?

14 A. I believe Vinnie refers to Vinnie
15 Badinehal.

16 Q. And did you ever interview
17 Mr. Badinehal or Tahg?

18 MR. SMITH: At any point in time?

19 A. Yeah. I was just going to ask in
20 reference to what?

21 Q. In reference to the fact that
22 people were allegedly talking about
23 Mr. Gurandiano's allegations.

24 A. Could you be more specific?
25 Mr. Gurandiano's allegations regarding what?

1 C. Berti

2 know. I don't know that that's established
3 by what was written here.

4 Q. Did you ask -- this notation in the
5 margin, question mark, "HR," did you ask
6 whether or not Mr. Bunzel was referring to
7 concerns that Mr. Abromavage had raised to
8 HR?

9 A. I don't recall.

10 Q. Well, why would you put a question
11 mark next to "HR" there?

12 A. Because it might have been a
13 question, or whether a question that was
14 raised or a question as to how Mr. Bunzel may
15 have heard of it. It could be a number of
16 things. I can't really say why there is a
17 notation there. It just was a question about
18 HR.

19 Q. Did Mr. Bunzel give this
20 information in response to a question you
21 asked?

22 A. Excuse me?

23 Q. Did Mr. Bunzel make this statement
24 in response to a question you asked?

25 A. I don't recall.

1 C. Berti

2 questions before a meeting, or an interview.

3 Q. Is this an example of that?

4 A. Yes.

5 Q. Can I turn your attention to
6 page -- to Exhibit 21.

7 A. Yes.

8 Q. These are questions for Mark
9 Hantho. And the first question: "Aware of
10 who participated in recent investigation re
11 JG?"

12 And then the second is: "Aware of
13 individuals who raised concerns re JG with
14 HR?"

15 Is that correct?

16 A. Yes.

17 Q. Does that refresh your recollection
18 as to the question that Mr. Bunzel was
19 responding to in Exhibit 25, where it says:
20 "JG investigation, heard NA raised concerns
21 about JG, not spoke to NA directly"?

22 A. Yes.

23 Q. How did Mr. Bunzel know
24 Mr. Abromavage raised concerns to HR?

25 MR. SMITH: Objection.

1 C. Berti

2 A. I don't know.

3 Q. Did you ask?

4 A. I don't recall.

5 Q. Was it concerning to you that
6 Mr. Bunzel knew that Mr. Abromavage had
7 raised concerns about Mr. Gurandiano to HR?

8 A. Not necessarily.

9 Q. Why not necessarily?

10 A. Because I don't know -- I don't
11 know if Mr. Bunzel replied that he learned
12 that Mr. Abromavage raised concerns to HR
13 about Mr. Gurandiano.

14 Q. Did you think it was important to
15 find out?

16 A. Yes.

17 Q. And did you find out?

18 A. I can't recall.

19 Q. Is there anything that would
20 refresh your recollection?

21 A. Yes. Looking at page 2576 at the
22 top, the third line from the top.

23 Q. Um-hum. What does that read?

24 A. It says, "JB heard fr," from,
25 "Cana," and I can't understand what that is.

1 C. Berti

2 Bank?

3 A. She was a senior banker that was
4 starting at the bank at some point in March
5 of 2016 in a -- in a -- heading a group whose
6 name I don't recall.

7 Q. Was it FIG?

8 A. I don't recall her specific title,
9 but she was someone who was coming to lead a
10 group that was being discussed in this -- in
11 this -- in this paragraph where I wrote about
12 an opportunity.

13 Q. Do you understand the opportunity
14 to be a reference to the move to FIG
15 coverage?

16 A. I just want to read around that
17 statement to help me refresh my recollection.

18 (Pause.)

19 A. I don't know.

20 Q. Up at the top of the page, four
21 lines down, it says, "Earlier this year NA
22 spoke with RG, others in FIG, banking
23 coverage role."

24 Does that refresh your recollection
25 about whether this opportunity referred to a

1 C. Berti

2 A. It is generally my practice, but I
3 can't speak to this specific investigation.

4 Q. Do you remember what documents you
5 reviewed in drawing the conclusion that you
6 "did not find violation of our DB policies"?

7 A. No.

8 Q. Would you have indicated what
9 documents you relied upon to make that -- to
10 draw that conclusion in your report?

11 MR. SMITH: Objection. I think we
12 are going to object to any testimony
13 regarding the contents of the report.

14 MR. VALLAS: This report, I really
15 do think we are going to have to have a
16 little bit of a -- I don't see how there
17 could be any assertion of privilege over
18 this report, given that DB is -- Deutsche
19 Bank is relying on the advice of counsel
20 defense. Are you not relying on the
21 advice of counsel?

22 MR. SMITH: We are asserting the
23 privilege over the contents of the report
24 because it was provided to counsel in
25 connection with providing legal advice.

1 C. Berti

2 conclusion with my colleague.

3 Q. And as a result of that review, did
4 you make a determination about whether or not
5 Mr. Abromavage's account in his October
6 complaint was credible?

7 MR. SMITH: Objection, asked and
8 answered.

9 MR. VALLAS: Asked and answered a
10 few times in a few different ways.

11 MR. SMITH: That's true, too.

12 MR. VALLAS: I'm trying to get some
13 clarity.

14 MR. SMITH: We have covered this.

15 Q. Let me ask it a simpler way, just
16 so we can move on.

17 What was the basis for your
18 conclusion that there was no violation of DB
19 policies?

20 A. My conclusions was based upon a
21 review of all the information we received
22 during the course of our investigation, and
23 that included our interview of Mr. -- or our
24 interview of Mr. Abromavage and any
25 information he provided to us in the course

1 C. Berti
2 of the investigation, as well as information
3 from other sources as part of the
4 investigation.

5 It was a review of a collection of
6 information, so...

7 Q. If you had determined that the
8 allegations made in Mr. Abromavage's
9 October 20th complaint were true, would that
10 have amounted to a violation of Deutsche
11 Bank's policies?

12 MR. SMITH: Objection.

13 A. I don't know.

14 MR. SMITH: I just want to note for
15 the record that we are at seven hours.

16 MR. VALLAS: I have probably about
17 15 minutes left. We can get into an
18 argument about whether or not I am
19 entitled to it, but I think it would be
20 probably better served just powering
21 through.

22 MR. SMITH: Off the record for a
23 minute.

24 (Discussion held off the record.)

25 MR. VALLAS: Can we go back on the